REMARKS

Claims 1-39 are all the claims pending in the application. By this Amendment, Applicant adds claim 40. Claim 40 is supported throughout the specification *e.g.*, pages 12-17 of the specification.

Summary of the Office Action

This Non-Final Office Action is responsive to the Appeal Brief filed on October 11, 2005. The Examiner withdrew the previous rejections. The Examiner, however, found new grounds for rejecting the claims. Specifically, claims 1, 4-9, 11, 16-21, 23, 28-33, 35, and 37-39 are rejected under 35 U.S.C. § 102 and claims 2, 3, 10, 12-15, 22, 24-27, 34, and 36 under 35 U.S.C. § 103.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 4-9, 11, 16-21, 23, 28-33, 35, and 37-39 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,298,373 to Burns et al. (hereinafter "Burns"). Applicant respectfully traverses in view of the following comments.

To be an "anticipation" rejection under 35 U.S.C. § 102, the reference must teach every element and recitation of the Applicant's claims. Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. Thus, the reference must clearly and unequivocally disclose every element and recitation of the claimed invention.

The Examiner alleges that Burns discloses "automatically managing the cached web pages and the referenced objects to ensure the display of a complete web page." Specifically, the Examiner alleges that Burn discloses "the target specifications embedded in the Web page to

reference the continuous data files are modified to reference the local copy of the continuous data files so that the target resources ready to serve when needed, *i.e.*, during ensuing peak time (Burns, C5: L8-20 and C10: L48-55)" (*see* page 3 of the Office Action).

Col. 5, lines 8 to 20 of Burns recites:

> When the content is received from the content provider, the local service provider stores the content in the cache memory. For instance, the content might be a Web page from a frequently visited Web site. Web pages are typically designed as hypermedia documents to provide rich multimedia presentations which blend text, images, sound, and video. If the Web page references or includes continuous data files, such as audio or video files, these files are stored in a continuous media server. The target specifications embedded in the Web page to reference the continuous data files are modified to reference the local copy of the continuous data files, as opposed to the original location of the files at the Web site (emphasis added).
>
> During the ensuing peak time, the processing control unit serves the target resources maintained in the cache memory to the subscribers.

The above-quoted passage of Burns, however, lacks any disclosure relating to missing data. That is, Burns fails to disclose or suggest storing the continuous data files, thereby ensuring the display of the complete web page. Burns only discloses that the files referenced by the web page are stored in a media server and the web page is modified to reference the local copy of the data files stored on the media server as opposed to the original location of the data file. Burns further discloses that this is necessary to prevent latency during peak hours (col. 5, lines 18 to 25 and col. 9, line 66 to col. 10, line 10) and not to ensure display of a complete web page. In Burns, if some of the

hyperlink material is missing, an incomplete web page will be displayed. At the very least, Burns lacks any disclosure or suggestion to the contrary.

Since Burns only discloses pre-caching web pages and the referenced objects and fails to teach managing the data ensuring the display of a complete website, the rejection is improper as it lacks "sufficient specificity" required under 102. "[A]nticipation under § 102 can be found only when the reference discloses exactly what is claimed and that where there are differences between the reference disclosure and the claim, the rejection must be based on § 103 which takes differences into account." *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985); MPEP § 2131.

In short, Burns fails to disclose or suggest automatically managing the cached web pages and the referenced objects to ensure the display of a complete web page, as set forth in some variations in the independent claims 1, 13, and 25. For at least this exemplary reason it is respectfully submitted that the independent claims 1, 13, and 25 are not anticipated. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claims 1, 13, and 25 and their dependent claims 4-9, 11, 16-21, 23, 28-33, 35, and 37-39.

Claim Rejections under 35 U.S.C. § 103

Claims 2, 3, 10, 12, 14, 15, 22, 26, 27, and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burns in view of U.S. Patent No. 6,542,967 to Major (hereinafter "Major"). Applicant respectfully traverses in view of the following comments.

The exemplary deficiencies of Burns, as set forth above, are not cured by Major, either alone or in combination. Consequently, claims 2, 3, 10, 12, 14, 15, 22, 26, 27, and 34 are

patentable over the applied references, at least by virtue of their dependency from the independent claims.

In addition, dependent claim 2 recites: "when the web page is deleted from the cache, deleting the referenced objects." The Examiner acknowledges that Burns fails to disclose or suggest these unique features of claim 2. The Examiner, however, alleges that Major cures the deficient teachings of Burns (*see* page 6 of the Office Action).

Specifically, the Examiner alleges that Major's disclosure that during the write operation affecting any portion of the cache object group, the entire object group being written (col. 5, lines 46 to 59) meets the unique features of claim 2. The Examiner interprets the write operation as to include "move or delete" (*see* page 6 of the Office Action). Applicant respectfully disagrees.

Major simply discloses that the related cache objects are moved together to a secondary cache. That is, they are written to the free space together (Fig. 4; col. 9, line 50 to col. 10, line 15). In other words, "write operation" relates to storing group of objects in a free space and not to deleting objects. Moreover, Major is simply concerned with maintaining related objects together and fails to disclose or suggest ensuring a display of a complete website so that when the webpage is deleted, so are the objects. In addition, in Major, the group of objects are stored together in one place as opposed to being stored in various storage devices or locations. That is, Major fails to disclose or suggest when a webpage is deleted from cache, deleting related data objects stored in a different storage device.

For at least these additional exemplary reasons, claim 2 is patentable over the combined teachings of Burns and Major.

New Claim

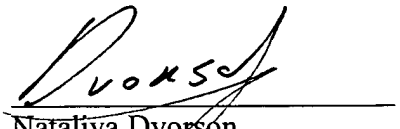
In order to provide more varied protection, Applicant adds claim 40. Claim 40 is patentable at least by virtue of its dependency on claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 14, 2006

Attorney Docket No.: A8492